

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, FEBRUARY 8, 2006**

UNAPPROVED
MARCH 24, 2006

PRESENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District
Frank A. de la Fe, Hunter Mill District
Suzanne F. Harsel, Braddock District
James R. Hart, Commissioner At-Large
Ronald W. Koch, Sully District
Kenneth A. Lawrence, Providence District
Rodney L. Lusk, Lee District
Peter F. Murphy, Jr., Springfield District
Laurie Frost Wilson, Commissioner At-Large

ABSENT: Janet R. Hall, Mason District
Nancy Hopkins, Dranesville District

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The meeting was called to order at 8:17 p.m. by Chairman Peter F. Murphy, Jr., in the Board Auditorium of the Fairfax County Government Center at 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Chairman Murphy noted there were no Commission matters from any of the members.

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ORDER OF THE AGENDA

Chairman Murphy, on behalf of Secretary Harsel, established the following order of the agenda:

1. RZ 2003-PR-022 - PULTE HOME CORPORATION (Fairlee)
FDP 2003-PR-022 - PULTE HOME CORPORATION " "
SEA 82-P-032-05 - PULTE HOME CORPORATION " "

This order was accepted without objection.

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RZ 2003-PR-022/FDP 2003-PR-022 - PULTE HOME CORPORATION -

Appls. to rezone from R-1 and HC to PRM, PDH-12, PDH-16, and HC to permit mixed use development with an overall density of 39.45 dwelling units per acre (du/ac) and approval of the conceptual and final development plans and a waiver to permit underground detention in a residential area. Located N. of Lee Hwy. approx. 1,650 ft. W. of Nutley St., S. of Saintsbury Dr., and E. of Blake Lane Park on approx. 56.03 ac. of land. Comp. Plan Rec: 4-5 du/ac with an option for mixed use development. Tax Map 48-1 ((1)) 90B, (formerly known as 48-1 ((1)) 90 pt., 91B pt., 48-1 ((6)) 7A, 8B pt., and 48-2 ((24)) 38A pt.); 48-1 ((1)) 91 and 91A; 48-1 ((6)) 5, 6, 7B, 8A, 9-13, 33-37; 48-2 ((24)) 38B, 39-42; 48-3 ((1)) 55; 48-3 ((5)) 1A, 1B, 2-4, 14-22; 48-4 ((7)) 23-32, 43-54, 56-60, 61A, 62-69, and existing Fairlee Dr. (Rt. 1040), and Maple Dr. (Rt. 1041) public right-of-way to be vacated and/or abandoned. (Concurrent with SEA 82-P-032-5.) (Approval of this application may enable the vacation and/or abandonment of the public rights-of-way for Fairlee Dr. and Maple Dr. to proceed under Section 15.2-2272 (2) of the *Code of Virginia*.) PROVIDENCE DISTRICT. PUBLIC HEARING.

SEA 82-P-032-05 - PULTE HOME CORPORATION - Appl. under Sects. 3-104, 6-105, 6-405, and 9-401 of the Zoning Ordinance to amend SE 82-P-032 previously approved for WMATA facilities to permit a reduction in land area and associated site modifications. Located at 2900 Nutley St. on approx. 29.84 ac. of land zoned R-1 and PDH-20. Tax Map 48-1 ((1)) 90A and 90B (formerly known as 48-1 ((1)) 90, 91B, 96, 97, and 100A; 48-1 ((6)) 7A and 8B; 48-2 ((1)) 4 and 4A; 48-2 ((24)) 38A); 48-2 ((1)) 1 and 48-3 ((4)) 28. (Concurrent with RZ/FDP 2003-PR-022.) PROVIDENCE DISTRICT. JOINT PUBLIC HEARING.

Tim Sampson, Esquire, Walsh, Colucci, Lubeley, Emrich & Terpak, P.C., reaffirmed the affidavit dated January 26, 2006. Commissioner Hart disclosed that he had spoken as a private citizen at a public hearing against a Pulte Home Corporation rezoning application and that he had a matter pending with Mr. Sampson's law firm; however, there were no financial relationships and these matters would not affect his ability to be impartial or participate in this case.

Cathy Lewis, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the applications.

Mr. Sampson said that the applications met the land use recommendation of the Comprehensive Plan and were a model for transit oriented development (TOD) with land consolidation, land use,

mix of uses, design, connectivity to transit, open space, mitigation of impacts, and community involvement. Addressing consolidation, Mr. Sampson explained that the applicant had assembled all available land south of the Vienna Metro Station and 3.75 acres owned by Washington Metropolitan Area Transit Authority (WMATA). Mr. Sampson said the mix of uses included 300,000 square feet of office with ground floor retail, multifamily units, townhouses, a child care center, a business center, age restricted units, and a public facility area. He said design elements included pedestrian connections between the site and the Metro station with an emphasis on orientation, connectivity; safety measures; sidewalks; and streetscapes. Mr. Sampson further explained that parking would be located within or behind the buildings. He pointed out that the density would be concentrated within a 5 minute walk of the Metro station then transition down the periphery of the site to respect the scale of the existing surrounding community. He said connectivity was a key component into the site from the communities to the east and west, as well as a bridge crossing over Hatmark Branch Stream. Mr. Sampson said the applicant proffered open space of over 20 acres, 35 percent of the site, which exceeded the Zoning Ordinance requirements, and provided 14 acres of active and passive recreation areas to supplement the indoor recreational facilities, with much of the area open for general public use. He pointed out that 6 million dollars had been proffered for a public recreation and meeting facility. Addressing transportation, he stated that this type of development was part of a regional transportation solution to existing problems and mitigated impacts with infrastructure capacity improvements. Mr. Sampson said the 4 million dollar transportation demand management (TDM) program had been designed to reduce residential and office vehicle trips and that a monitoring and enforcement program had been proffered to count vehicle trips with substantial financial penalties if the objectives were not met. He said the proposed onsite detention would improve the current stormwater drainage and stream impacts as well as capture water from WMATA owned land. Mr. Sampson noted that the drainage divide crossing shown on the plan was in error and outfall had been redirected to correct that. He said an appropriate amount had been proffered for the projected increase in students, as determined by the Fairfax County Public School (FCPS) formula. Mr. Sampson pointed out that 140 affordable dwelling units (ADUs) had been proffered which exceeded the Ordinance requirement of 79. He said community involvement had included a citizens' work group for the Plan amendment; a TDM advisory group; public meetings with the TDM consultant, the Planning Commission, the Board of Supervisors, and WMATA; letters to 60 community associations, 3,000 households, and the town of Vienna; and a website detailing the project. He noted that the development had the support of the Hunters Branch Associations; Virginia Center Phase II; Mantua Citizens Association; Coalition for Smarter Growth; Washington Regional Network for Livable Communities; Sierra Club; and Smart Growth Alliance.

In response to questions from Commissioner Hart, Mr. Sampson said that approximately 35,000 square feet would be available in buildings 7, 8, or 9 for a full service grocery store and it would be in the applicant's best interest to build the store as quickly as possible. In addition, Mr. Sampson said the building material specifications on the CDP/FDP and Proffer 21A would be reviewed.

Responding to a question from Commissioner Lusk, Mr. Sampson said that it would be beneficial for the applicant to build the maximum allowed office space, but build-out would be dependent upon the Saintsbury Drive redevelopment, the Metro station improvements, and tenant availability.

In response to a question from Commissioner de la Fe, Mr. Sampson said the submission of the tree preservation plan in Proffer 16 related to Vaden Drive Extended and the public building site, with possible transplantation of native species at other areas of the site.

Chairman Murphy called the first listed speaker and recited rules for testimony before the Commission.

Mark Tipton, 3018 Hickory Grove Court, Fairfax, spoke in opposition to the applications due to increased traffic, the loss of parking spaces at the Metro station, inadequate outdoor recreation, and pedestrian safety concerns. (A copy of his remarks is in the date file.)

Richard J. Bochner, 9402 Colonnade Drive, Vienna, representing the Virginia Center Phase II Homeowners Association, expressed support for the proposed development because it provided amenities such as office and retail space that would benefit the larger community and also because it would be a walkable, transit oriented development with beneficial TDM strategies.

Chuck Almquist, Fairfax County, Department of Transportation (FCDOT), Ms. Lewis, and Mr. Bochner responded to questions from Commissioner Lawrence regarding the future loss of parking by and near the Metro station.

Deborah Reyher, 8628 Redwood Drive, Vienna, representing the Oakdale Park Civic Association, Friends of Accotink, and Wedderburn Neighbors, spoke in opposition to the applications citing the lack of understanding from the County on TOD and smart growth principles. She said that she had submitted a Freedom of Information Act (FOIA) request asking, on an expedited basis, for any information that might have been generated by staff concerning this application but had not received a reply. She said developers' definitions of TOD would allow them to profit but would probably hurt the community. Ms. Reyher then asked that the members of the audience who agreed that the Commission should not proceed with these applications to stand and be recognized. (A copy of her remarks is in the date file.)

Commissioner Hart complimented Ms. Reyher on her enthusiasm in the land use process but questioned her about a Providence District Council meeting that Commissioners had been asked to attend which conflicted with the regularly scheduled Planning Commission meeting and were later criticized for not being interested enough to attend. Commissioner Hart added that the Commission considered citizen input very important. He requested that in the future if Commission participation was desired, meetings should be scheduled on a night that the Commission did not meet.

Cate Jenkins, 3029 Mission Square Drive, Fairfax, representing the Blakeview Homeowners Association, spoke in opposition to the proposed development citing concerns about the inadequacy of the proffers to mitigate the impact of increased volumes of stormwater runoff. She said that the construction of a larger sanitary sewer line to accommodate the proposed development would result in destruction of property and park land and cause devastating tree loss and damage. (A copy of her remarks is in the date file.)

Joan Quill, 3179 Linden Wood Lane, Fairfax, representing the Stone Hurst Homeowners Association, spoke in opposition to the applications due to the negative impact to Hatmark Branch caused by stormwater runoff, the lack of penalties or remediation fees should the stormwater management elements not perform to specifications, and the loss of parking spaces at the Vienna Metro station forcing commuters to park in their community. (A copy of her remarks is in the date file.)

Douglas Stewart, 10822 Maple Street, Fairfax, representing the Sierra Club, spoke in support of the applications because it would be a transit oriented development resulting in less traffic, less air pollution, and more open space. He added that the development would provided a mix of commercial, business, recreational, and residential uses as well as a TDM program. Mr. Stewart said that he had concerns with the parking management strategies and phasing of the residential and commercial spaces. He suggested that a bike level of service analysis be conducted for the internal roads and adjustments made if necessary, to meet acceptable bike standards as outlined in Virginia Department of Transportation (VDOT) Northern Virginia Bikeway and Trail Network Study. (A copy of his remarks is in the date file.)

Deborah Smith, 9569 Lagersfield Circle, Vienna, representing the Country Creek Section 7 Homeowners Association, spoke in opposition to the proposed development citing concerns about the density, the lack of infrastructure to support the density, and the phasing of the project. She said the last two local communities developed as mixed use transit oriented projects had failed and expressed concern that businesses would move to the available spaces in Arlington, Tysons, and Reston. Ms. Smith said that to ensure a true mixed use community, the County should require the developer to build commercial space prior to completing the residential units. (A copy of her remarks is in the date file.)

Commissioner Byers thanked Ms. Smith and suggested that the developer heed her comments to ensure a successful mixed use community.

Bill Mann, 404 Mashie Drive, Vienna, spoke in favor of the applications because increasing density around transportation infrastructure mitigated traffic congestion. He said he was an engineer and worked in travel forecasting for the region and said the population of Fairfax County will double by the year 2030 exacerbating the traffic problem.

Laurie Genevro Cole, 127 Center Street South, Vienna, expressed opposition to the applications citing concerns about the increased burden on schools, athletic facilities, transportation systems, and roadways. She stated that the public use building should not be counted as retail space or be used in the analysis of trip generations because the use remained undefined, the location was separate from the retail core, and the ground level parking lot did not resemble the TOD model.

Mayor Jane Seeman, 127 Center Street South, Vienna, representing the Town of Vienna, cited concerns about the density of the proposed development which would overwhelm the resources of the town, streets, schools, and recreational programs. She said the quality of life due to the excellent school system and the single family residential suburban area would change. Mayor Seeman said the Town of Vienna would be submitting a letter stating specific concerns. (A copy of her remarks is in the February 8, 2006 date file. A copy of her letter is in the March 15, 2006 date file.)

Stephen Cerny, 2011 Approach Lane, Reston, spoke in favor of the applications because it would divert development away from already established neighborhoods and channel the growth where good infrastructure existed.

Tom Robertson 14160 Newbrook Drive, Chantilly, spoke on behalf of James Williams, Executive Officer for the Northern Virginia Building Industry Association, and in support of the proposed development due to the projected shortfall of over 80,000 homes this decade. He said that smart growth and transit oriented development were nationally known planning concepts with obvious and measurable successes and these applications provided the right elements of open space and proximity to transit.

Paul B. Johnson, 12744 Lavender Keep Circle, Fairfax, spoke in favor of the application stating a mixed use development would start to change the auto dependent character of the County.

Cheryl Cort, 4000 Albemarle Street NW, Suite 305, Washington, D.C., representing the Washington Regional Network for Livable Communities, spoke in favor of the proposed development because the project offered substantial housing opportunities, office space, retail uses, and a walkable environment close the Metro station resulting in less pollution, less urban sprawl, conservation of world resources, and protection of the environment. She suggested stronger requirements for phasing and that the retail component be viewed as part of the residential development plan. Ms. Cort expressed concern that the parking would not be sufficiently reduced and requested clarification on the parking costs. (A copy of her remarks is in the date file.)

Linda Ferri, 9824 Five Oaks Road, Fairfax, representing the Mosby Woods Elementary School Parent Teachers Association, said that although she favored the applications because transit oriented developments were necessary, there were concerns about the impact to the school system. She said that the assumptions used to calculate the school proffer of 1.77 million dollars

were flawed and contradictory. Ms. Ferri asked the Commission to recommend approval of the applications but with an adequate school proffer.

In response to questions from Commissioners Alcorn and Lawrence, Gary Chevalier, Director, Office of Facilities Planning Services, FCPS, said that the school study estimated that the proposed rezoning would result in a net increase of approximately 236 students. Angela Kadar Rodeheaver, Transportation Planning Division, FCDOT, said that the transportation study reference of 927 students had been based on general data from the 2000 Census; however, FCPS had taken into consideration the proposed mix of dwelling units to achieve the lower prediction. Mr. Chevalier said that the data used to determine the study's ratios had been based on student counts from various types of residential units throughout the County which was reviewed approximately every two years.

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The Commission went into recess at 10:42 p.m. and reconvened in the Board Auditorium at 10:58 p.m.

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Rod Hines, 2616 East Meredith Drive, Vienna, said he would support the applications if money were proffered for specific athletic fields which would benefit the whole community and improve the standard of living.

Fernando Mendez, 2854 Kelly Square, Vienna, spoke in opposition to the applications citing concerns about open space. He said research studies had proven that green space offset the negative impacts of noise, dense development, and reduced dangerous situations. Mr. Mendez said that the total tree cover for the project was below the standard recommended level. (A copy of his remarks is in the date file.)

Marion Pflaumer, 3025 White Birch Court, Fairfax, said that although it made good sense to increase density at transportation hubs, she had concerns about the lack of recreational space. She stated that the proposed development should be redesigned to accommodate sufficient park and recreational facilities and the applicant should provide 1.3 million dollars to the Fairfax County Park Authority (FCPA) for onsite and offsite improvements. Ms. Pflaumer said that due to the disparity in the number of projected students, an independent study was warranted. (A copy of her remarks is in the date file.)

Angela Elliott, 3045 Hickory Grove Court, Fairfax, cited concerns about the open space calculations and questioned whether they included areas such as the community facility, parking lots, and rooftop terraces. She said that much of the open space, such as the swimming pools, was unusable most of the year and that although there were passive recreation areas, active recreation space was lacking. Ms. Elliot stated that two grassed areas in the project were atop underground stormwater vaults and due to potential hazards, the Department of Public Works

and Environmental Services typically recommended against that. (A copy of her remarks is in the date file.)

In response to a question from Commissioner Byers, Ms. Lewis said that parking lots could not be considered open space; however, landscaped roof terraces within a PRM district could.

Robin Templeton, 9577 Blake Park Court, Fairfax, spoke in opposition to the applications citing concerns about stormwater outfall, the impact on schools and traffic, and the inadequate amount of green space and tree save. She said that the loss of trees added to poor air quality and exacerbated cases of skin cancer and asthma. Ms. Templeton suggested that the applicant use the proposed County building space for park land which would allow the money earmarked for that project to be used to improve and resurface existing playing fields and acquire more land for parks. (A copy of her remarks is in the date file.)

Vivian Morgan-Mendez, 2854 Kelly Square, Vienna, representing the Friends of Nottoway, said the proposed development created an additional burden on the parks and recreation system as confirmed by the FCPA memorandum in Appendix 10 of the staff report. She said that the public facilities building did not meet the intent or the spirit of the Comprehensive Plan and that money should be redirected to acquire additional and improve existing park land. She requested that the Commission withhold approval until the adverse impacts had been mitigated. (A copy of her remarks is in the date file.)

William Elliott, 3045 Hickory Grove Court, Fairfax, representing the Fairfax Citizens for Responsible Growth, Inc., presented slides depicting the proposed development using Lego building blocks. He said that placing higher density at Metro stations was appropriate; however, this application needed to be carefully scrutinized, the proffer language was too vague, and the requirements of office and retail space were critical to the success of the project. He said that the design elements of the proposed project, along with recommended TDM strategies, must work collectively to achieve the trip reduction targets; however, some methodologies used in the TDM study were questionable. He requested that the Commission communicate with the citizens regarding revisions to the application before making a final decision and he further requested that a public information meeting be held after the final proffers were negotiated. (A copy of his remarks is in the date file.)

Roger Diedrich, 3322 Prince William Drive, Fairfax, spoke in favor of the proposed development because with the current rate of growth, Fairfax County needed a mix of uses that provided a walkable environment near transit. He said the possible overcapacity of the Metro system would be a temporary condition and should not deter a long term land use decision. Regarding impacts on schools, parks, and streams, Mr. Diedrich said the developer needed to be held to standards but that should not deter approval either. He said the amount of residential parking would not encourage the use of alternate travel and that he also had concerns with the phasing of the project.

Nicholas Vidnovic, 11826 Wayland Street, Oakton, spoke in favor of the applications noting that staff had been working to address the schools, traffic, and drainage concerns since the plan had first been presented in the mid-80s.

K. C. Hanzgen, 3354 Breckenridge Court, Annandale, spoke in favor of the applications because land for development was becoming scarce in the County and to best utilize property, a high density, walker-friendly development near mass transportation was essential.

Jody G. Bennett, 1459 Hunter View Farms, Vienna, representing the Hunter Mill Defense League Land Use Committee, spoke in opposition to the proposed development because the applicant had failed to thoroughly address all the impacts of the project. She said the proposed office space, TDM, and phasing of the construction needed to be reevaluated. Ms. Bennett expressed concern that, as indicated in the staff report, the County might exercise their condemnation power at the applicant's request.

Stewart Schwartz, 4000 Albemarle Street NW, Suite 310, Washington, DC, representing the Coalition for Smarter Growth, spoke in favor of the proposed development because transit oriented development was a key smart growth tool in the Washington region and it was critical to take advantage of the capabilities of the Metro system to reduce traffic and other demands. Mr. Schwartz said that the phasing requirements could be stronger, with a commitment to office and retail phased in earlier than proposed.

Craig Crutchfield, 3111 Northwood Road, Fairfax, said that although he supported the concept of smart growth, he had concerns with this proposal because of the adverse impacts on the parks, roads, and schools. He said the County had an obligation to either identify how it planned to mitigate those impacts so the costs would not be passed onto the adjacent communities or approve a less dense proposal. (A copy of his remarks is in the date file.)

Hunter McCleary, 2205 Trott Avenue, Vienna, representing the Fairfax Advocates for Better Bicycling, said that the proposed development made biking a more viable form of transportation for residents and employees, but the proffers did not address strategic approaches, such as on-road accommodations. He said that the internal street network design incorporated traffic calming features that would make for safe biking but suggested incorporating methodologies from the 2003 VDOT Northern Virginia Bikeway and Trail Network Study.

Steve Pastorkovich, 2909 Nutley Street, Fairfax, spoke in opposition to the application citing transportation concerns. He said that the Metro system would not have enough funding for an adequate amount of rail cars to handle the increase in ridership or adequate station platforms, escalators, and fare gates. Mr. Pastorkovich added that the staff report did not include trips generated from Covington Square, a nearby development. Mr. Pastorkovich said that County residents had not agreed to be the test case for an experimental TOD project and compromise on the proposed density was needed. (A copy of his remarks is in the date file.)

Timothy Bradshaw, 9704 Blake Lane, Fairfax, spoke in support of the applications because it was time to plan for the future since land was a commodity to be used wisely and the County could no longer afford to have single family homes on land located near mass transportation.

Peter Slivka, 9512 Poplar Leaf Court, Fairfax, representing the Circle Woods Homeowners Association, said that although he was not against the proposed development, he had concerns about the density, adequate resident parking, Metro overcrowding, public safety, and the adverse impacts on traffic, land, air, and stormwater management. He questioned the capacity to supply the additional residences with electricity, sewage facilities, and the need for the proposed public building and said that had never been discussed with the community.

Correcting an earlier statement from Mr. Pastorkovich, Mr. Almquist explained that Covington Square had been included in the trip generation analysis in the traffic studies.

Kate Marquis, 9647 Lindenbrook Street, Fairfax, said that she strongly endorsed the idea of the proposed development; however, sidewalks needed to be added to accommodate pedestrians. She encouraged the Commission to reject the waiver of trail width along Lee Highway. Ms. Marquis endorsed the proffer for a dedicated safe bridge crossing over Hatmark Branch because the expected increased pedestrian traffic would exacerbate the existing stream erosion.

Chairman Murphy called the next listed speaker, Edythe Frankel Kelleher; however, she was not present. Commissioner de la Fe said that although he could not speak for her, Ms. Kelleher was on the Hunter Mill Land Use Committee and had expressed concerns previously with the offsite impacts to the parks and open space. Commissioner Lawrence said that he had received a letter from Ms. Kelleher detailing her concerns and assured all that the concerns would be considered.

Charles Hall, 9577 Blake Park Court, Fairfax, representing the Blake Manor Homeowners Association, said that he concurred with Ms. Smith's statement concerning the phasing of the project and that Fair Growth, Sierra Club, Providence District Supervisor Smyth, and Coalition for Smarter Growth had all agreed that the early construction of the office space was a necessary component to the success of the development. Mr. Hall said he had concerns because the exact amount of green space had not been specified in the application. He added that the proffers did not make the adjoining communities safe from the impacts of the proposed development and the County had the responsibility to use its public funds to rectify that situation. (A copy of his remarks is in the date file.)

Russell Ekanger, 8628 Redwood Drive, Vienna, representing the Vienna Little League (VLL), said he had concerns about the lack of green space and the impact on the parks and fields. He said that the one proposed basketball court would not be sufficient; therefore, the applicant should use money reserved for the court more effectively. Mr. Ekanger noted that FCPS owned a parcel of land near the proposed development that could be used for additional fields. He added that until the past week, VLL had not been invited by the developer to any community discussions.

Karen Hammond, 7941 Yancey Drive, Falls Church, spoke in favor of the applications with the density proposed and on behalf of her friend, Esther Friedman, who planned to live in the proposed development. She quoted her friend as saying that an urban community close to transportation resulted in a healthy walking lifestyle. Ms. Hammond said that the developer should not be asked to provide more proffers to fix the problems of unfunded parks, unaddressed traffic problems, and preexisting stormwater problems because the cost of the proffers would translate into higher housing costs. She said that an American Institute for Economic Research study showed that rising housing prices partially resulted from the significant increase of local residents blocking new projects making obtaining regulatory approval for building new homes more difficult to obtain.

Julia F. Hutchins, 9538 Daniel Lewis Lane, Vienna, said she would voice her concerns about the applications in writing due to the late hour, a copy of which is in the date file.

Fran Wallingford, 3311 Mantua Drive, Fairfax, said that staff had indicated the applicant would provide 140 ADUs in the 129 pages of proffers; however, she could only find 79 ADUs listed on the site plan and 70 pages of proffers in the staff report. She suggested that a portion of the ADUs be handicapped accessible and that money be escrowed for schools since there were inconsistencies in the number of students anticipated.

Ms. Wallingford submitted the written testimony of Clay Cameron, 3243 Highland Street, Fairfax, representing the Pine Ridge Civic Association, citing some concerns about the stormwater vaults and lack of Best Management Practices. (A copy of his statement is in the date file.)

David Keyes, 2931 Deer Hollow Way, #405, Fairfax, representing the Hunters Branch Condominium Association, spoke in favor of the applications because the proposed development would be a major contributor to the vibrancy and convenience of the area. He said the applicant would correct existing problems caused by WMATA, such as water pollution, land erosion, and lack of ADA accessibility to the station; however, his association regretted the lack of park land, the failure to connect Vaden Drive with Circle Wood Drive, the 2,100 parking space garage proposed for the southeast corner of the Metro parking lot, and the trip reduction measures which would be an impediment to the commercial development that was needed in the community. (A copy of his remarks is in the date file.)

Gary Gillum, 1008 Rachel Lane, Vienna, representing the Southwest Vienna Citizens Association, expressed opposition to the applications because little was known about TOD planning. He said that although some people would use the Metro system, there would still be an additional burden on already crowded roads, schools, and sports fields and open spaces.

Jacqueline Balcells, 3098 Winter Pine Court, Fairfax, said that since the lack of recreational space was a concern, the developer should proffer a community park and suggested nearby property that was currently owned by FCPS. She said the property would not be appropriate for

a school but would be sufficient for recreational uses which would benefit the residents of the development and neighboring communities.

Tim Reed, 202 Talahi Road, Vienna, expressed opposition to the application because TDM strategies would not be adequately funded and the development would have adverse impacts on the sanitary sewer system.

Commissioner Hart asked staff to forward information to the Commission regarding the proffer relating to condemnation.

Frank Sheridan, 9916 Oleander Avenue, Vienna, representing the Edgelea Woods Community Association, said that although their neighborhood had many Metro commuters, they had not been represented in various decision making processes, such as the work group and transportation area stakeholders meetings. He cited concerns about the negative impacts on schools, traffic, and recreational space. (A copy of his remarks is in the date file.)

Bill Cervenak, 10153 Turnberry Place, Oakton, said that there were no available athletic fields in Vienna and he was concerned about the added impact on recreational space. He noted that a local playing field had been fully supported by local youth sports organizations and the Vienna Town Council and requested that the County provide funding for athletic fields and take responsibility for the welfare of the children.

Chairman Murphy said that the County was aware of the shortage of athletic fields and had been trying to rectify the problem but encountered problems, such as local neighborhoods objecting to lighting the fields. In response to questions from Chairman Murphy, Mr. Cervenak said that he was unaware of any area in Vienna that could be used for new fields and that the Town of Vienna maintained three local fields without government grants.

Mary Kleinhans, P.O Box 3001, McLean, spoke in support of the applications because a TOD would provide housing for the record number of people moving into the region and maintain the needed tax base. She said without this development, people would move out to surrounding areas which would lead to a loss of tax revenues yet add transportation impacts to the area. Ms. Kleinhans noted that to make a mixed use project viable, the phasing of business, retail, and residential needed to occur within a short timeframe; however, it would be unrealistic to expect the establishment of business and retail development prior to the residential component.

Pete Rigby, 13705 Stonehunt Court, Clifton, spoke in support of the applications which represented true mixed use development, took advantage of the existing infrastructure to provide a walkable community, and provided needed housing for the projected population growth. Mr. Rigby pointed out that the applicant would be spending millions of dollars to correct existing problems with the environment, roads, and other public obligations that should have been paid by the taxpayers. He added that it was not the responsibility for the applicant to solve the recreational problems of the area.

Kimberly Price, 9614 Lindenbrook Street, Fairfax, spoke in opposition to the applications citing concerns about the proposed density, transportation impacts, and the lack of affordable housing. She added that if an emergency evacuation was necessary in the future, the increased density would add to the problem. Ms. Price said that although the developer had provided ample opportunity for citizen input, they had not honored the requested changes to the application. There being no further speakers, Chairman Murphy called upon Frank McDermott, Esquire, Hunton & Williams LLP, for a rebuttal statement.

Mr. McDermott stated that over a three year period, citizens had participated in the planning of this development process with regard to traffic, stormwater management, and parks and recreation. He said that staff had offered many solutions, including an effective stormwater management pond, to correct problems at Hatmark Branch; however, Dr. Jenkins and other citizens had rejected the proposals due to the potential destruction of trees. In response to Mayor Seeman's concerns, he said that growth and change in Vienna was inevitable due to its location next to the nation's capital. Regarding parks and recreational areas, Mr. McDermott said the applicant would dedicate acres of park land, a public recreation and meeting facility, and a tree save commitment of six million dollars. He said that the applicant was adhering to the Comprehensive Plan with building the public facility building but could have as easily used the money for ball fields. Mr. McDermott said that the proposed recreational facilities, open space, the community building, and the addition to East Blake Lane Park would provide a public benefit to the existing area residents. He said that the applicant had provided a greater commitment, detail, and study to TOD and TDM than had been seen previously. Mr. McDermott added that the Comprehensive Plan had previously recommended more townhouse development and that the Plan amendment for the area lessened the impact to the area. He said the transportation proffers improved the level of service at all but one local intersection. Mr. McDermott closed by saying that the developer had paid one million dollars per acre for this location in January 2004 and had not received any financial benefit to date, so now was the time for responsible growth with a great mix of uses and a major investment in the rail system.

Commissioner de la Fe commented that there might be more viable solutions to increase the use of the current athletic fields than had been proposed. Mr. McDermott said that the 6 million dollars proffered for recreational facilities could be used wherever deemed appropriate.

Commissioner Alcorn suggested inserting language to ensure that the office component of the project would be developed as proposed. Mr. McDermott said the applicant was committed to that component.

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The Commission had no further comments or questions and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Lawrence for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner Lawrence MOVED THAT THE DECISION ONLY FOR RZ 2003-PR-022, FDP 203-PR-022, AND SEA 82-P-032-05, ALL IN THE NAME OF PULTE HOME CORPORATION, BE DEFERRED TO A DATE CERTAIN OF MARCH 15, 2006, WITH THE RECORD TO REMAIN OPEN FOR ELECTRONIC AND TEXT COMMENT.

Commissioners Byers and Lusk seconded the motion which carried unanimously with Commissioners Hall, Harsel, and Wilson absent from the meeting.

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The meeting was adjourned at 1:52 a.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

Audio and video recordings of this meeting are available at the Planning Commission Office, 12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Susan M. Donovan

Approved on: _____

Linda B. Rodeffer, Clerk to the
Fairfax County Planning Commission